

1 **WAGANAKISING ODAWAK STATUTE _____**

2
3 **ELDERS COMMISSION**

4
5
6
7 **SECTION I. PURPOSE**

8
9 The Commission is to advise the Kikaajik Department and aid the Department in
10 obtaining its statutory duties of providing services to meet the needs of the Kikaajik
11

12
13 **SECTION II. DEFINITIONS**

14
15 **A.** “*Commission*” shall mean “Elders Commission”.

16
17 **B.** “*Department*” means the Kikaajik Department.

18
19 **C.** “Immediate Family” means husband, wife, son, daughter, step-son, step-daughter, father,
20 step-father, father-in-law, mother, step-mother, mother-in-law, brother, step-brother,
21 brother-in-law, sister, step-sister, sister-in-law, child, step-child, son-in-law, daughter-in-
22 law or a person whose relationship with the Tribal Citizen is similar to that of persons
23 who are related by blood or marriage.

24
25 **D.** “*Kikaajik*” means a Tribal Citizen who is fifty-five (55) years of age or will turn fifty-five
26 (55) years of age by December 31st of the current year.

27
28 **E.** “*LTBB*” or “*Tribe*” means the Little Traverse Bay Bands of Odawa Indians ..

29
30 **F.** “*Stipend*” for attendance at scheduled meetings or any other activities approved by the
31 Executive in advance and shall be limited to one stipend per day.
32
33

1
2 **SECTION III. CREATION OF THE COMMISSION**
3

4 The Tribal Council hereby creates the Elders Commission and it shall be composed of five (5)
5 Commissioners, within the Executive Branch of government nominated by the Executive,
6 appointed by Tribal Council and shall consist of five (5) enrolled Tribal Citizens, eighteen (18)
7 years of age or older.
8

9 **B. Immediate Family.** Two or more members of the same immediate family shall not serve
10 on the Commission at the same time. A Commission member shall not be the
11 Chairperson if the department director, assistant director, co-director, Tribal Chairperson
12 or Tribal Vice-Chair is an immediate family member.
13

14 **C. Appointments.** Initial appointments to the Commission shall be staggered consisting of
15 two (2) two-year terms and three (3) four-year terms. The terms thereafter shall be
16 for four (4) years with no limit on reappointment.
17

18 **D. Oath of Office.** Members will serve until their successors are appointed and sworn in
19 under an oath of office prepared and administered by the Tribal Court within thirty (30)
20 days of their appointment and prior to first meeting attendance.
21

22 **E. Ethics.** Commission members shall be subject to the Constitutionally Mandated Rules of
23 Conduct for Officials of Tribal Government.
24

25 **F. Removal.** Members may be removed in accordance with applicable laws.
26

27 **G. Vacancy.** In the event a vacancy occurs on the Committee a Tribal Citizen who meets
28 the eligibility requirements for the remainder of the unexpired term shall be
29 nominated by the Executive and appointed by Tribal Council for the remainder of the
30 unexpired term.
31
32

1 **SECTION IV. ORGANIZATION AND DUTIES**

2
3 Commission shall advise and aid the Kikaajik Department in obtaining its
4 statutory duties of providing services to meet the needs of the Kikaajik.

5
6 **A.** The Commission shall organize itself with a Chairperson and a Secretary by
7 majority vote of the Commission.

8
9 **B.** The Commission shall gather information and may make recommendations to the
10 Department.

11
12 **C.** The Commission may also assist the Department in gathering information to make
13 recommendations on alleviating common problems facing Kikaajiks and make recommendations
14 on enhancing services.

15
16
17 **SECTION V. BUDGET, COMPENSATION AND TRAVEL**

18
19 The Executive shall present Tribal Council an annual budget necessary to implement this
20 statute. Members shall be compensated, subject to the availability of funds.

21
22 **A.** Stipends. Stipends shall be paid for attendance at properly scheduled meetings. The
23 Commission Chairperson and Secretary shall receive \$125.00 and the balance of the
24 Commission members \$100.00 per meeting attended.

25
26 1. Draft minutes shall have been submitted to the Executive prior to stipend
27 processing for the same meeting.

28
29 **B.** Travel day stipends. Travel stipends in the amount of \$75.00 shall be paid one day prior
30 and one day after attendance to an event, training, or other approved activity that would
31 require the person to drive prior to 7:00 a.m. in order to attend the start of the event or

1 drive and return home after 8:00 p.m. If flying is required to attend the event, training, or
2 other approved activity then the person shall be paid a travel stipend for one day prior to
3 the approved activity and one day after the approved activity.
4

- 5 C. Travel expenses. Travel expenses for Executive approved travel shall be reimbursed at
6 the same rate as allowed employees in the Tribal Governmental Employees Travel
7 Reimbursement Policy.
8
9

10 **SECTION VI. MEETINGS AND MINUTES**

11

- 12 A. Meetings. The Commission shall meet no more than once per month and shall be posted
13 at least five (5) days in advance in the Tribal Governmental building and Tribal website.
14

- 15 1. At a minimum, meetings shall be open to Tribal Citizens.
16

- 17 B. Minutes. The minutes shall reflect what was done, not what was said, at the
18 meeting.
19

- 20 1. No member may participate in making any decision that involves a
21 personal or financial interest of the member or a member of his or her
22 immediate family unless such interest is held in common with the Tribe and its
23 Citizens.
24

- 25 2. Actions of the Commission shall be decided by a majority vote of those present
26 at the meeting. The Chair is entitled to vote on all matters brought before the
27 Commission. A quorum shall consist of three (3) members.
28

- 29 2. The minutes of the meeting shall include but not limited to the date and time
30 the meeting occurred, the call to order, motions or proposed motions, seconds,
31 Public comment, etc.
32

1 3. The Commission shall allow a reasonable amount of time for at least one public
2 comment period per meeting but may limit such time for comments as necessary
3 to conduct business.

4
5 4. Once approved, the minutes will be the official record of the Commission
6 meetings.

7
8 5. The Secretary, or his/her designee, will be responsible for taking the minutes.

9
10 a. The Commission may utilize Kikaajik Department staff as assigned by the
11 Executive.

12
13 b. The Secretary shall keep a copy of the minutes.

14
15 **SECTION VII. SEVERABILITY**

16
17 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for
18 any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion
19 shall be deemed a separate, distinct and independent provision and such holding shall not affect
20 the validity of the remaining portions thereof.

21
22
23 **SECTION VIII. EFFECTIVE DATE**

24
25 This Statute takes effect immediately upon its enactment. Enactment of this Statute shall
26 have no effect on the membership status of any tribal members enrolled by the Tribe under
27 previous legislation.

28
29
30 **CERTIFICATION**
31